

Subject: Release Regarding "Generals FOIA" and "All Advice FOIA" 17-2707 (D.D.C.)
Date: Wednesday, October 17, 2018 at 3:26:16 PM Eastern Daylight Time
From: Kahn, Matthew (USADC)
To: Cerissa Cafasso
Attachments: AO v DoD Release.pdf

Hi Cerissa,

Attached are responses to the two remaining FOIA requests that are the subject of this litigation, the July 28th "Generals FOIA" and the Oct 31st "All advice FOIA." As previously agreed, DoD searched within all of the documents located by OSD and the Service Branches for discovery purposes in Doe v Trump, No. 17-cv-1597 (D.D.C.).

For the "Generals FOIA," responsive records were limited to "analysis or recommendations from DoD personnel regarding DoD's policy regarding the service of transgender individuals in the U.S. military in the offices listed in the request to the White House between Jan 20, 2017, and 8:55 AM EDT on July 26, 2017." Only communications sent to the White House is within this scope. Drafts and deliberations regarding any such communications internal to DoD is not responsive.

For the "All advice FOIA," responsive records were limited to "analysis, reports, or recommendations regarding DoD's policy regarding the service of transgender individuals in the U.S. military from DoD personnel in the offices listed in the request between Jan 20, 2017, and 8:55 AM EDT on July 26, 2017."

While this request includes analysis, reports, and recommendations internal to DoD, only the final versions of any such records provided to or from senior leaders in the DoD offices listed in the request are within this scope. Drafts and lower level deliberations regarding any such analysis, reports, or recommendations are not responsive.

26 pages regarding readiness of military departments to implement accessions of transgender applicants into military service are attached. These documents have minor redactions pursuant to Exemption 6, 5 U.S.C. § 552(b)(6), which permits the Government to withhold information about individuals when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." DoD has a practice to withhold personally identifying information of those members of DoD who are at the military rank of Colonel or below and at the rank of GS-15 or below. See *O'Keefe v. DoD*, 463 F. Supp. 2d 317, (E.D.N.Y. 2006) (holding that "the probative value of this personally identifying information is nominal and does not overcome the privacy interest of the employees involved. The employees who conducted the investigation are of relatively low rank"). DoD has withheld the names and contact information of such personnel. In addition to the attached records, DoD has withheld in full 14 pages of records pursuant to Exemption 5. Exemption 5 pertains to certain inter- and intra-agency communications protected by civil discovery privileges. As applicable here, these privileges include the deliberative process privilege and the presidential communications privilege.

Thanks,

Matt Kahn
Assistant United States Attorney
U.S. Attorney's Office for the District of Columbia
555 4th Street, NW
Washington, DC 20530
(office) 202-252-6718



**SECRETARY OF THE ARMY
WASHINGTON**

ACTION MEMO

05-25-17 A09:40 DUT

FOR: DEPUTY SECRETARY OF DEFENSE

FROM: Robert M. Speer, Acting Secretary of the Army

Robert M. Speer, 5-25-17

SUBJECT: Readiness of Military Departments to Implement Accession of Transgender Applicants into Military Service

- This responds to your May 8, 2017 memorandum to assess the Army's readiness to begin accessing transgender applicants into the Army on July 1, 2017 (TAB A). The Army requests a delay in implementing the draft accessions policy until July 1, 2019, to allow for a meaningful analysis and determination regarding the impact of transgender accessions on the Army's readiness to meet the statutory requirement under 10 USC 3062, specifically the Army's obligation to be organized, trained, and equipped primarily for prompt and sustained combat operations.
- While the Army is on track to complete our transgender in service tiered training program by July 1, 2017, our assessment identified several impediments to starting accessions on July 1, 2017, potentially impacting our future ability to conduct "prompt and sustained" combat operations in furtherance of our statutory mission.
- Some transgender Soldiers experience extensive medical non-deployability both before and after transition. The Army reviewed the records of the 36 Soldiers with an approved gender marker change and found that seven (19%) were permanently non-deployable after their transition compared to 2% permanently non-deployable in the rest of the force. This rate is in addition to the 6 - 12 months medically non-deployable time (exclusive of time needed to recover from surgery) most transitioning Soldiers experience. Accessing additional individuals when the only empirical evidence collected suggests a 19% permanently non-deployable rate hurts the overall readiness of the force and reduces the ability of the Army to achieve our statutory mission of providing prompt and sustained combat operations. As we have just begun retaining transgender Soldiers, insufficient data exists to determine if more time would resolve the associated non-deployable conditions.
- Empirical evidence is not available to identify if the contemplated 18-month stability period is sufficient to support the overall readiness of the force. Many medical conditions require a waiting period to determine stability. The waiting periods are based primarily on published medical standards of care used to determine complete healing times or the point at which one reaches such a low risk of recurrence that the condition is considered medically resolved, for example, a 6-month stability period following refractive eye surgery. Gender dysphoria has a higher than average risk of being associated with mood and anxiety disorders and suicidal behaviors. Some of the waiting periods for disorders sometimes associated with gender dysphoria are greater than the contemplated 18-months of stability for gender dysphoria, for

SUBJECT: Readiness of Military Departments to Implement Accession of Transgender Applicants into Military Service

example depression (requiring a period of 36 months without treatment prior to accession), and anxiety (requiring a period of 24 months without treatment prior to accession). The minimum waiting period for transgender individuals should be that time necessary to resolve the dysphoria or any other attendant conditions.

- Data to assess impact on readiness has only been available since October 2016. To address this insufficiency, the Army requests delaying implementation of an accessions policy for at least 24 months. The delay provides the necessary time to develop actual practical experience regarding the length and type of medical treatment needed to resolve periods of non-deployability and validate the presumption that transgender Soldiers will access in their preferred gender and experience no additional distress or dysphoria, requiring only routine behavioral health and endocrinological follow-up with minimum training disruption during service.

RECOMMENDATION: Approve the delay of implementation until July 1, 2019.

Approve _____ Disapprove _____ Other _____

COORDINATION: NONE

Attachment:

As stated

Prepared by: (b) (6) [redacted]



THE SECRETARY OF THE NAVY
WASHINGTON DC 20350-1000

May 31, 2017

MEMORANDUM FOR DEPUTY SECRETARY OF DEFENSE

SUBJECT: Readiness of Military Departments to Implement Accession of Transgender Applicants into Military Service

Pursuant to your memorandum of May 8, 2017, the Department of the Navy (DON) evaluated our readiness to begin accessing transgender applicants into military service on July 1, 2017. While both the Navy and Marine Corps are prepared to begin accessing applicants on July 1, 2017, as outlined in the attached Service assessments from the Director, Navy Staff and Commandant of the Marine Corps, I request consideration be given to extending the accession deadline by one year to July 1, 2018.

As directed, the Navy and Marine Corps developed Service-wide education and training plans to ready the force and ensure successful integration. Navy completed training as of April 30, 2017, and the Marine Corps will be complete by July 1, 2017. Additionally, DON published transgender policy in Secretary of the Navy Instruction 1000.11, *Service of Transgender Sailors and Marines*, on November 4, 2016.

A one-year delay will enable DON to assess the effectiveness of our policy to evaluate, treat, and integrate transgender Service Members within the existing population. This will allow us opportunity to apply the experience of our current efforts to identify any potential impacts of transgender service on readiness and deployability and to standardize and clarify DON procedures as required to preclude such impacts. During this period we will also assess the detailed policy impacts on individual Service Members and their ability to have full, uninhibited careers offering world-wide assignability. Additionally, we will work with the other Services, the Combatant Commanders, and the Office of the Secretary of Defense to promote consistency in implementation regarding deployed environment requirements, non-deployability periods, and the optimal stability period associated with the unique stressors of military life.

Those who join our all-volunteer force today do so with an expectation of being able to serve wherever the nation needs them. We owe them consistent and clear policies that maximize readiness while simultaneously ensuring individuals have the ability to contribute to the mission based solely on their abilities and qualifications.

Sean J. Stackley
Acting

Attachments:
As stated

DOD-17-0301 and DOD-17-0464-A-000003

American Oversight v DoD, No. 17-2707 (D.D.C.) 063



DEPUTY SECRETARY OF DEFENSE
1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010

MAY - 8 2017

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
chiefs of the military services

SUBJECT: Readiness of Military Departments to Implement Accession of Transgender Applicants into Military Service

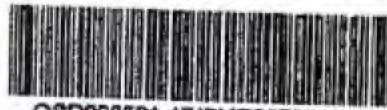
In coordination with the Under Secretary of Defense for Personnel and Readiness, I direct you to assess the Department's readiness to begin accessing transgender applicants into military service on July 1, 2017.

The personnel policies of this Department are designed to enhance the warfighting readiness and lethality of the force that protects our country. We do not intend to reconsider prior decisions unless they cause readiness problems that could lessen our ability to fight, survive and win on the battlefield.

Current guidance prohibits the involuntary separation of otherwise qualified Service members solely because of gender identity and directs the Military Departments to prepare for the accession of transgender applicants into military service by July 1, 2017. That guidance also contained directions for each Department to conduct force-wide education and training to ready the force and ensure successful integration. Please report your assessment to me no later than May 31, 2017.

cc:

Chairman of the Joint Chiefs of Staff
Under Secretary of Defense for Personnel and Readiness
General Counsel of the Department of Defense



OSD005501-17/CMD007870-17
DOD-17-0301 and DOD-17-0464-A-000004



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON DC 20350-2000

22 May 17

MEMORANDUM FOR SECRETARY OF THE NAVY

SUBJECT: Readiness of Military Departments to Implement Accession of Transgender Applicants into Military Service

Mr. Secretary, we are prepared to access transgender (TG) applicants into military Service on July 1, 2017. We conducted extensive policy reviews and training of the force, and established the required conditions for implementation of TG applicant accessions. The following criteria served as the basis for our assessment.

- Required revisions to Navy policy were outlined in NAVADMIN 248/16 and BUMEDNOTE 6000. Applicable Navy instructions were reviewed and any changes required are nearing completion and will be in effect by the planned date for TG accessions.
- All Navy policies and regulations are consistent with the standards of military readiness, effectiveness, unit cohesion, and recruiting and retention needs.
- As of April 30, 2017, the Navy completed TG policy training for both the active and reserve components.
- The Navy Service Central Coordination Cell continues to provide assistance and clarification to command triads and individual Sailors regarding personnel policies and gender transition, responding to over 460 inquiries since the July 5, 2016 standup.
- BUMED successfully stood up east and west coast transgender care teams, completed physician training and developed a multidisciplinary approach to care for transitioning Sailors.
- Navy Recruiting Command recruiters are prepared to accept TG applications.
- Navy accession sources at Naval Service Training Command and U.S. Naval Academy are ready to begin accessing TG recruits and officer candidates.
- Recruit Training Command (RTC) is on track to complete the minimum necessary modifications to ensure appropriate privacy for incoming TG personnel. No other facilities modifications are planned by Navy outside of RTC.

While Navy sees no impediments and assesses limited risk to start accessing TG applicants, I would not oppose a shift in the final implementation date if required by our sister Services. Navy agrees to the plan of 18 months stability requirement for Service entry of TG applicants, but awaits decision and release of DoD accession medical standards to review and update our policies and instructions accordingly. The accession of TG personnel is not expected to cause significant impacts to readiness, effectiveness, cohesion, recruiting and retention.

J. G. FOGGO



DEPARTMENT OF THE NAVY
HEADQUARTERS, UNITED STATES MARINE CORPS
3000 MARINE CORPS PENTAGON
WASHINGTON, DC 20350-3000

May 30, 2017

MEMORANDUM FOR DEPUTY SECRETARY OF DEFENSE
SECRETARY OF THE NAVY

SUBJECT: Readiness of the Military Departments to Implement Accession of Transgender Applicants into Military Service

The United States Marine Corps acknowledges the 30 June 2016 decision by the Secretary of Defense to begin accessing transgender applicants into the Marine Corps on 1 July 2017. The Marine Corps will comply with all Department of Defense (DoD) directives on this issue, but recommends extending the accession deadline to 1 July 2018. Since the implementation of the DoD transgender policy, we continue to learn from our transitioning in-service Marines who have bravely stepped forward. An additional year will give us the opportunity to continue to learn and to address ongoing concerns including:

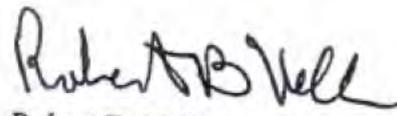
- Since the implementation of the policy, we are beginning to better understand, via our in-service transitioning Marines, how transition impacts deployability and readiness. This information is important because the majority of Marines serve only a single term and we expect these Marines to be ready to train and deploy multiple times. With an additional year to implement transitioning/transgender accessions, we will be able to gain more insight from our experience with our in-service transitioning Marines and will be able to offer DOD a well-informed assessment on the impact on readiness.
- Facilities modifications are necessary at numerous training locations to respond to privacy concerns. These modifications have been impacted by the extended Continuing Resolution and, therefore, have not yet been completed. An additional year and a signed budget will allow us to complete these modifications.
- Notable inconsistencies exist between the clinical guidelines for transgender care and the DoD policy, specifically with respect to the requirement of real life experience (RLE). Defense Health Agency policy mandates DoD clinicians use guidelines requiring at least three months RLE prior to initiating hormone treatment. However, DoD policy which was developed with input from DoD medical experts does not permit RLE during duty hours and only allows partial RLE when Service members are off-duty. This incongruity reflects the lack of agreement within the medical and behavioral health communities and must be resolved to ensure appropriate care for our transitioning service members. By deliberately increasing this population before we have resolved the inconsistencies, we potentially expose newly accessed transitioning Marines to unacceptable health risks.
- Lastly, an extension would allow DOD and the Services to gain more certainty about DOD's interpretation of 10 U.S.C. §§6931, 9319, and 4319 which require the Services to provide sleeping and latrine areas separated by "male" and "female" at recruit training. The statutes

SUBJECT: Readiness of the Military Departments to Implement Accession of Transgender Applicants into Military Service

do not define the terms "male" or "female," but DOD General Counsel has suggested in a 5 July 2016 opinion that the terms will be interpreted to mean the member's gender marker as reflected in the Defense Enrollment Eligibility Reporting System (DEERS). The DOD General Counsel opinion indicates a belief that Congress will defer to DOD's interpretation of "male" and "female" because of the significant authority Congress has conferred on the Secretary of Defense and Service Secretaries concerning the administration of DOD and its personnel. DOD should take additional action prior to the accession of transgender applicants to ensure this view is consistent with congressional intent, in order to avoid potential risk of violation of these statutes.

In addition to these concerns, we continue to recommend the stability period for new accessions be established as 24 months, vice 18 months under the current policy. This 24-month stability requirement is consistent with other stability requirements within DOD's medical standards for accession in DODI 6130.03. Accession to military service is a significant and stressful event for all applicants; physical and mental stability are vital for success during recruit training or officer candidate school. A longer stabilization requirement would provide a better foundation for our transgender applicants and better position them to successfully complete rigorous initial training.

In summary, the Marine Corps will execute as required, but recommend the effective date for new accessions be delayed to 1 July 2018 so the Services can review and learn from current in-service transgender cases to better serve our transitioning/transgender members and to better understand the impacts of this new policy. We further recommend the stability period for new accessions be lengthened to 24 months.



Robert B. Neller



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

JUN 30 2016

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
DEPUTY CHIEF MANAGEMENT OFFICER
CHIEF OF THE NATIONAL GUARD BUREAU
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, COST ASSESSMENT AND PROGRAM
EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
DEPARTMENT OF DEFENSE CHIEF INFORMATION OFFICER
ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE
AFFAIRS
ASSISTANT TO THE SECRETARY OF DEFENSE FOR PUBLIC
AFFAIRS
DIRECTOR, NET ASSESSMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Directive-type Memorandum (DTM) 16-005, "Military Service of Transgender Service Members"

References: DoD Directive 1020.02E, "Diversity Management and Equal Opportunity in the DoD," June 8, 2015
DoD Directive 1350.2, "Department of Defense Military Equal Opportunity (MEO) Program," August 18, 1995
DoD Instruction 6130.03, "Medical Standards for Appointment, Enlistment, or Induction in the Military Services," April 28, 2010, as amended

Purpose. This DTM:

- Establishes policy, assigns responsibilities, and prescribes procedures for the standards for retention, accession, separation, in-service transition, and medical coverage for transgender personnel serving in the Military Services.
- Except as otherwise noted, this DTM will take effect immediately. It will be converted to a new DoDI. This DTM will expire effective June 30, 2017.

Applicability. This DTM applies to OSD, the Military Departments (including the Coast Guard at all times, including when it is a Service in the Department of Homeland Security by agreement with that Department), the Office of the Chairman of the Joint Chiefs of Staff and the

Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD.

Policy.

- The defense of the Nation requires a well-trained, all-volunteer force comprised of Active and Reserve Component Service members ready to deploy worldwide on combat and operational missions.
- The policy of the Department of Defense is that service in the United States military should be open to all who can meet the rigorous standards for military service and readiness. Consistent with the policies and procedures set forth in this memorandum, transgender individuals shall be allowed to serve in the military.
- These policies and procedures are premised on my conclusion that open service by transgender Service members while being subject to the same standards and procedures as other members with regard to their medical fitness for duty, physical fitness, uniform and grooming, deployability, and retention, is consistent with military readiness and with strength through diversity.

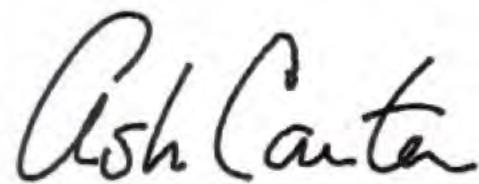
Responsibilities

- The Secretaries of the Military Departments will:
 - Take immediate action to identify all DoD, Military Department, and Service issuances, the content of which relate to, or may be affected by, the open service of transgender Service members.
 - Draft revisions to the issuances identified, and, as necessary and appropriate, draft new issuances, consistent with the policies and procedures in this memorandum.
 - Submit to the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) the text of any proposed revisions to existing Military Department and Service regulations, policies, and guidance, and of any proposed new issuance, no later than 30 days in advance of the proposed publication date of each.
- The USD(P&R) will:
 - Take immediate action to identify all DoD, Military Department, and Service issuances, the content of which relate to, or may be affected by, the open service of transgender Service members.

- Draft revisions to the issuances identified in this memorandum and, as necessary and appropriate, draft new issuances consistent with the policies and procedures in this memorandum.

Procedures. See Attachment.

Releasability. Cleared for public release. This DTM is available on the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.



Attachment:

As stated

cc:

Secretary of Homeland Security
Commandant, United States Coast Guard

ATTACHMENTPROCEDURES1. SEPARATION AND RETENTION

- a. Effective immediately, no otherwise qualified Service member may be involuntarily separated, discharged or denied reenlistment or continuation of service, solely on the basis of their gender identity.
- b. Transgender Service members will be subject to the same standards as any other Service member of the same gender; they may be separated, discharged, or denied reenlistment or continuation of service under existing processes and basis, but not due solely to their gender identity or an expressed intent to transition genders.
- c. A Service member whose ability to serve is adversely affected by a medical condition or medical treatment related to their gender identity should be treated, for purposes of separation and retention, in a manner consistent with a Service member whose ability to serve is similarly affected for reasons unrelated to gender identity or gender transition.

2. ACCESSIONS

- a. Medical standards for accession into the Military Services help to ensure that those entering service are free of medical conditions or physical defects that may require excessive time lost from duty. Not later than July 1, 2017, the USD(P&R) will update DoD Instruction 6130.03 to reflect the following policies and procedures:

(1) A history of gender dysphoria is disqualifying, **unless**, as certified by a licensed medical provider, the applicant has been stable without clinically significant distress or impairment in social, occupational, or other important areas of functioning for 18 months.

(2) A history of medical treatment associated with gender transition is disqualifying, **unless**, as certified by a licensed medical provider:

(a) the applicant has completed all medical treatment associated with the applicant's gender transition; and

and
(b) the applicant has been stable in the preferred gender for 18 months;

(c) If the applicant is presently receiving cross-sex hormone therapy post-gender transition, the individual has been stable on such hormones for 18 months.

(3) A history of sex reassignment or genital reconstruction surgery is disqualifying, **unless**, as certified by a licensed medical provider:

(a) a period of 18 months has elapsed since the date of the most recent of any such surgery; and

(b) no functional limitations or complications persist, nor is any additional surgery required.

b. The Secretaries of the Military Departments and the Commandant, United States Coast Guard, may waive or reduce the 18-month periods, in whole or in part, in individual cases for applicable reasons.

c. The standards for accession described in this memorandum will be reviewed no later than 24 months from the effective date of this memorandum and may be maintained or changed, as appropriate, to reflect applicable medical standards and clinical practice guidelines, ensure consistency with military readiness, and promote effectiveness in the recruiting and retention policies and procedures of the Armed Forces.

3. IN-SERVICE TRANSITION

a. Effective October 1, 2016, DoD will implement a construct by which transgender Service members may transition gender while serving, in accordance with DoDI 1300.28, which I signed today.

b. Gender transition while serving in the military presents unique challenges associated with addressing the needs of the Service member in a manner consistent with military mission and readiness needs.

4. **MEDICAL POLICY**. Not later than October 1, 2016, the USD(P&R) will issue further guidance on the provision of necessary medical care and treatment to transgender Service members. Until the issuance of such guidance, the Military Departments and Services will handle requests from transgender Service members for particular medical care or to transition on a case-by-case basis, following the spirit and intent of this memorandum and DoDI 1300.28.

5. EQUAL OPPORTUNITY

a. All Service members are entitled to equal opportunity in an environment free from sexual harassment and unlawful discrimination on the basis of race, color, national origin, religion, sex, or sexual orientation. It is the Department's position, consistent with the U.S. Attorney General's opinion, that discrimination based on gender identity is a form of sex discrimination.

b. The USD(P&R) will revise DoD Directives (DoDDs) 1020.02E, "Diversity Management and Equal Opportunity in the DoD," and 1350.2, "Department of Defense Military Equal Opportunity (MEO) Program," to prohibit discrimination on the basis of gender identity and to incorporate such prohibitions in all aspects of the DoD MEO program. The USD(P&R) will prescribe the period of time within which Military Department and Service issuances implementing the MEO program must be conformed accordingly.

6. EDUCATION AND TRAINING

- a. The USD(P&R) will expeditiously develop and promulgate education and training materials to provide relevant, useful information for transgender Service members, commanders, the force, and medical professionals regarding DoD policies and procedures on transgender service. The USD(P&R) will disseminate these training materials to all Military Departments and the Coast Guard not later than October 1, 2016.
- b. Not later than November 1, 2016, each Military Department will issue implementing guidance and a written force training and education plan. Such plan will detail the Military Department's plan and program for training and educating its assigned force (to include medical professionals), including the standards to which such education and training will be conducted, and the period of time within which it will be completed.

7. IMPLEMENTATION AND TIMELINE

- a. Not later than October 1, 2016, the USD(P&R) will issue a Commander's Training Handbook, medical guidance, and guidance establishing procedures for changing a Service member's gender marker in DEERS.
- b. In the period between the date of this memorandum and October 1, 2016, the Military Departments and Services will address requests for gender transition from serving transgender Service members on a case-by-case basis, following the spirit and intent of this memorandum and DoDI 1300.28.



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

SECNAVINST 1000.11
ASN (M&RA)
4 Nov 16

SECNAV INSTRUCTION 1000.11

From: Secretary of the Navy

Subj: SERVICE OF TRANSGENDER SAILORS AND MARINES

Ref:

- (a) DoD Instruction 1300.28 of 1 July 2016
- (b) DTM 16-005, Military Service of Transgender Service Members of 30 June 2016
- (c) ASD(HA) Memo, Guidance for Treatment of Gender Dysphoria for Active and Reserve Component Service Members of 29 July 2016
- (d) USD Memo, Clarification of Procedures to Identify Sex Code Changes for Transgender Service Members of 21 September 2016
- (e) SECNAVINST 5300.28E
- (f) DoD Instruction 6130.03, CH 1 of 13 September 2011
- (g) DoD Instruction 1332.18 of 5 August 2014

Encl: (1) Responsibilities
(2) Service Implementing Policy and Procedures

1. Purpose. To establish Department of the Navy (DON) policy for the accession and service of transgender Sailors and Marines, to include the process for transgender Service Members to transition gender in-service.

2. Definitions. Definitions are provided in reference (a).

3. Applicability. This instruction applies to all DON military personnel. Specific considerations for Reserve Component personnel are included in reference (a). Refer all DON civilian transgender questions to the DON Office of Civilian Human Resources or the DON Office of the General Counsel. Refer all questions regarding transgender contractors to the Contracting Officer's Representative.

4. Policy

a. Consistent with the policies and procedures set forth in references (a) and (b), transgender individuals shall be allowed to serve openly in the DON.

b. References (a) through (d) provide Sailors and Marines an in-service process to transition to their preferred gender. These policies are based on the premise that open service by transgender persons who are subject to the same medical, fitness for duty, physical fitness, uniform and grooming, deployability, and retention standards and procedures is consistent with military service and readiness.

c. The DON recognizes a Sailor's or Marine's gender by their gender marker in the Defense Enrollment Eligibility Reporting System (DEERS). Coincident with that gender marker, the Navy and Marine Corps shall apply, and the Service Member is responsible to meet, all standards for uniforms and grooming; body composition assessment (BCA); physical readiness testing (PRT); Military Personnel Drug Abuse Testing Program (MPDATP) participation; and other military standards applied with consideration of the Service Member's gender.

(1) For facilities subject to regulation by the military, the Sailor or Marine will use those berthing, bathroom, and shower facilities associated with the Service Member's gender marker in DEERS.

(2) As the tactical situation allows, Commanders are expected to implement appropriate policies to ensure the privacy protection of individual Sailors and Marines out of courtesy to all and to maintain good order and discipline.

(3) Reference (e) clarifies policy for the direct observation of urinalysis specimen collection. MPDATP policy considers the terms "sex" and "gender marker" as equivalent. Therefore, transgender Service Members providing a urinalysis specimen will be observed by an individual with the same gender marker indicated in DEERS. In selecting an observer, a Commander may employ reasonable accommodations to respect the privacy interests of the Service Members. The selection of an observer must be made in a manner that ensures the integrity of

the urinalysis program and provides both the Service Member being tested and the observer an environment free from harassment/discrimination.

d. Sailors and Marines with a diagnosis from a military medical provider indicating that gender transition is medically necessary will be provided the medically necessary care and treatment. A medical treatment plan developed by the military medical provider will outline the severity of the Service Member's medical condition, the urgency of any proposed medical treatment, projected timeline for completion of gender transition, and estimated periods of non-deployability and absence. Medical advice to Commanders and Commanding Officers will be provided in a manner consistent with processes used for other medical conditions that may limit the Service Member's performance of official duties.

e. Any medical care and treatment provided to an individual Sailor or Marine in the process of gender transition will be provided in the same manner as other medical care and treatment. Nothing in this instruction will be construed to authorize a Commander or Commanding Officer to deny medically necessary treatment to a Sailor or Marine.

f. Any determination that a transgender Sailor or Marine is non-deployable at any time will be consistent with established DON and Service standards, as applied to other Sailors and Marines whose deployability is similarly affected in comparable circumstances unrelated to gender transition.

g. Commanders and Commanding Officers will assess expected impacts on mission and readiness after consideration of the advice of military medical providers and will address such following this instruction and references (a) and (b). In applying the tools described in reference (a), a Commander or Commanding Officer will not accommodate biases against transgender individuals. If a Sailor or Marine is unable to meet standards or requires an exception to policy (ETP) during a period of gender transition, all applicable tools, including those described in references (a) through (d), will be available to Commanders and Commanding Officers to minimize impacts to the mission and unit readiness. Gender transition dates in the transition plan may be adjusted per reference (a) and enclosure (2) as necessary to support organizational needs.

h. When the military medical provider determines that a Service Member's gender transition is complete, and at a time approved by the Commander or Commanding Officer in consultation with the transgender Sailor or Marine, the Service Member may submit a request for gender marker change in DEERS, per reference (d). Once the gender marker is changed in DEERS, the Service Member will be recognized in the preferred gender and held to preferred gender standards from that point forward.

i. Policy for service during initial entry training and considerations associated with the first term of service are outlined in reference (a).

j. All Sailors and Marines are entitled to equal opportunity in an environment free from sexual harassment and unlawful discrimination on the basis of race, color, national origin, religion, sex, or sexual orientation. It is the Department of Defense (DoD) and DON's position, consistent with the U.S. Attorney General's opinion, that discrimination based on gender identity is a form of sex discrimination. All personnel will continue to treat each other with dignity and respect. There is zero tolerance for harassing, hazing, or bullying in any form.

5. Responsibilities. See enclosure (1).

6. Accessions

a. Per reference (b), no later than 1 July 2017, the Navy and Marine Corps will begin accessing transgender applicants who meet all standards. The gender identity of an otherwise qualified individual will not bar them from joining the Navy or Marine Corps, from admission to the United States Naval Academy, or from participating in Naval Reserve Officers Training Corps or any other accession program.

b. Medical standards for accession into the Naval service (in reference (f)) help to ensure that those entering service are free from medical conditions or physical defects that may require excessive time lost from duty due to necessary medical treatment or hospitalization, or result in separation from the Service for medical unfitness.

c. A history of gender dysphoria is disqualifying, unless, as certified by a licensed medical provider, the applicant has

been stable without clinically significant distress or impairment in social, occupational, or other important areas of functioning for 18 months.

d. A history of medical treatment associated with gender transition is disqualifying, unless, as certified by a licensed medical provider:

(1) The applicant has completed all medical treatment associated with the applicant's gender transition; and

(2) The applicant has been stable in the preferred gender for 18 months; and

(3) If the applicant is presently receiving cross-sex hormone therapy post-gender transition, the individual has been stable on such hormones for 18 months.

e. A history of sex reassignment or genital reconstruction surgery is disqualifying, unless, as certified by a licensed medical provider:

(1) A period of 18 months has elapsed since the date of the most recent such surgery; and

(2) No functional limitations or complications persist, nor is any additional surgery required.

f. The 18-month periods may be waived or reduced, in whole or in part, in individual cases for applicable reasons. Requests for waiver or reduction of the 18-month periods shall be sent to the Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN (M&RA)) for adjudication.

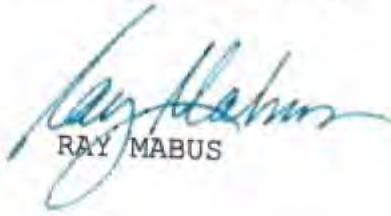
(1) ASN (M&RA) may approve requests for waiver or reduction. ASN (M&RA) may also delegate this approval authority to the Deputy Chief of Naval Operations (Manpower, Personnel, Training, and Education) (DCNO (N1)) and the Deputy Commandant (Manpower and Reserve Affairs (DC (M&RA))). This approval authority may not be further delegated.

(2) Any requests for waiver or reduction with a recommendation for disapproval shall be sent to the Secretary of the Navy (SECNAV) for decision.

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7. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed per SECNAV Manual 5210.1 of January 2012.

8. Reports. The reporting requirements within enclosure (1), paragraphs 1a and 1i are exempt from information control per SECNAV M-5214.1 of January 2012, Part IV, paragraphs 7j and 7o respectively.



RAY MABUS

Distribution:

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<http://doni.documentservices.dla.mil/>

RESPONSIBILITIES

1. CNO and CMC shall:

- a. Issue policy and procedures addressing the military service of transgender Service Members, to include establishing a process by which transgender Sailors and Marines may transition gender while serving, consistent with mission, training, operational, and readiness needs, and a procedure whereby a Service Member's gender marker will be changed in DEERS. Additional detail on Service implementing policy and procedures is outlined in enclosure (2).
- b. Ensure uniform standards, grooming standards, BCA standards, PRT standards, MPDATP standards, and other standards applied with consideration of a Service Member's gender, are applicable to the Service Member's gender marker as reflected in DEERS.
- c. Direct the use of berthing, bathroom, and shower facilities according to the Service Member's gender marker as reflected in DEERS, for facilities that are subject to regulation by the military.
- d. Provide appropriate privacy for all Sailors and Marines. This may be achieved through expenditure of funds to modify bathroom and shower facilities at Navy and Marine Corps military installations that do not provide reasonable privacy.
- e. Ensure that policies and procedures governing Service urinalysis testing program are performed using accepted and established operating procedures which conform to the requirements outlined in reference (e).
- f. Ensure medically necessary treatment to transgender Active Duty Service Members is available, in alignment with reference (c).
- g. No later than 15 November 2016, create a Service-wide training and education plan, to include specialized training for Commanders and Commanding Officers. The training of Sailors and Marines across the DON shall be completed no later than 1 July 2017.

h. No later than 1 February 2018, provide an assessment of Navy and Marine Corps transgender service policy, summarizing the impact on military readiness, effectiveness, unit cohesion, recruiting, and retention. The assessment should be informed by surveys and data collected and include any recommended adjustments to DoD and DON policy.

i. Beginning in 2018 and triennially thereafter, support Naval Inspector General Special Inspections of Service compliance with DoD, DON, and Service transgender service policy and procedures.

j. Ensure that all Sailors and Marines are able to perform their duties free from unlawful discrimination and harassment.

k. Ensure the protection of personally identifiable information and personal privacy considerations in the implementation of references (a) through (f), this instruction, and Service regulations, policy, and guidance.

2. Assistant Secretary of the Navy (Manpower and Reserve Affairs) shall:

a. Assess Navy and Marine Corps compliance with references (a) through (d) with coordination from Chief of Naval Operations (CNO) and Commandant of the Marine Corps (CMC) (no later than 1 February 2018) and review of triennial Inspector General Special Inspections.

b. Review requests for waiver or reduction of the 18-month periods of stability for new accessions and submit all requests with a disapproval recommendation to SECNAV for decision.

3. Naval Inspector General shall, beginning in 2018 and triennially thereafter, conduct a Special Inspection of Navy and Marine Corps compliance with references (a) through (d), this instruction, and Service regulations, policy, and guidance.

4. Chief, Bureau of Medicine and Surgery shall:

a. Provide or arrange consultation for medically necessary treatment to Active Duty Service Members per references (c) and (d), ensuring standardized healthcare.

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4 Nov 16

- b. Ensure referral for a determination of fitness in the disability evaluation system per reference (g).
- c. No later than 15 November 2016, develop an education and training plan for both privileged and non-privileged medical personnel.
- d. For Reserve Component Service Members not on active duty for more than 30 days, review and approve medical diagnosis and treatment plans, in alignment with references (a), (c), and (d).

SERVICE IMPLEMENTING POLICY AND PROCEDURES

1. The CNO and CMC shall establish policy and procedures per references (a) through (d) and this instruction, outlining the actions a Commander may take to minimize impacts to the mission and ensure continued unit readiness in the event that a transitioning individual is unable to meet standards or requires an ETP during a period of transition. Such policies and procedures may address the means and timing of transition, procedures for responding to an ETP prior to the change of a Service Member's gender marker in DEERS, appropriate duty statuses, and tools for addressing an inability to serve throughout the gender transition process. Any such actions available to the Commander or Commanding Officer will consider and balance the needs of the individual and the needs of the command in a manner comparable to the actions available to the Commander or Commanding Officer in addressing comparable Service Member circumstances unrelated to gender transition. Such actions may include:

- a. Adjustments to the date on which the Sailor's or Marine's gender transition, or any component of the transition process, will commence.
- b. Advising the Sailor or Marine of the availability of options for extended leave status or participation in other voluntary absence programs during the transition process.
- c. Arrangements for the transfer of the Sailor or Marine to another organization, command, location, or duty status (e.g. Individual Ready Reserve), as appropriate, during the transition process.
- d. ETPs associated with changes in the Service Member's physical appearance and body composition during gender transition, such as accommodations in the application of standards for uniforms and grooming and MPDATP participation.
- e. Establishment of, or adjustment to, local policies on the use of berthing, bathroom, and shower facilities subject to regulation by the military, during the transition process.
- f. Other actions, including the initiation of administrative or other proceedings, comparable to actions that

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could be initiated with regard to others whose ability to serve is similarly affected for reasons unrelated to gender transition.

2. The CNO and CMC shall establish policies and procedures, consistent with references (a) through (d) and this instruction, whereby a Sailor's or Marine's gender marker will be changed in DEERS based on a determination by the military medical provider that the Service Member's gender transition is complete; receipt of written approval from the Commander or Commanding Officer, issued in consultation with the Service Member; and production by the Service Member of documentation indicating gender change. Guidance on such documentation is outlined in reference (a).



SECRETARY OF THE AIR FORCE
WASHINGTON

MAY 31 2017

FOR: DEPUTY SECRETARY OF DEFENSE

FROM: Heather Wilson *[Handwritten Signature]*

SUBJECT: Readiness of Military Departments to Implement Accession of Transgender Applicants into Military Service

- In response to your subject memorandum, dated 8 May 2017, we recommend a 12-36 month delay from the current 1 July 2017 accession policy implementation to allow for a period of further study to assess the readiness implications of transgender accessions. We reaffirm our commitment that currently serving transgender members be allowed to serve openly, freely, without discrimination and to ensure that all Airmen have the opportunity to focus on the mission and be successful. The Air Force is complying with OSD direction to educate our force through general Transgender Awareness Training, and anticipates completion by the OSD-directed target date of 1 July 2017.
- We believe that the combination of developing, but still immature, medical information and information received from Combatant Commands (CCMDs) raises significant concerns about the potential availability, readiness, and deployability of potential transgender accessions that warrants more study.
- It has been further noted that currently serving transgender members have had some significant readiness and deployment issues. Early medical evidence indicates that gender transition medical treatment may not be providing a lasting resolution to gender dysphoria and there is not sufficient data to draw conclusions on cited medical issues. This additional period would allow the opportunity to build upon a growing body of medical evidence on which to base a more informed decision on the readiness impacts of transgender applicant accessions.
- As a force provider, the Air Force takes these concerns seriously, particularly in light of understandable restrictions required by our warfighters. For example, US Central Command (USCENTCOM) MODIFICATION (MOD) 13, *Individual Protection and Individual Unit Deployment Policy*, provides that members with gender dysphoria, and those actively undergoing gender transition, are, due to complex medical and mental health needs, generally disqualified from deployment to the USCENTCOM Area of Responsibility until the process, including all necessary follow-up and stabilization, is completed without complication or persistent concerns (identified as stability). Additionally, other CCMDs have policies that limit deployment of any member, not solely transgender members, who have a condition with complex multi-specialty medical concerns without an approved waiver by the gaining CCMD, which is consistent with established Military Department and Service standards.

- Our point of contact is [REDACTED] SAF/MRR [REDACTED] or via email at
(b) (6)

COORDINATION: None

Attachment:

DepSecDef Memo, 8 May 17

Prepared by: [REDACTED], SAF/MRR, **(b) (6)**

To: Kriete, David M. EOP/NSC (b) (6) [REDACTED]
Cc: (b) (6) [REDACTED] Sweeney, Kevin M SES
(US)(b) (6) [REDACTED]; Koffsky, Paul S SES OSD OGC (US)(b) (6) [REDACTED];
Donnelly, Sally B SES (US)(b) (6) [REDACTED]; Smith, David J SES OSD OUSD P-R
(US)(b) (6) [REDACTED]; Rychalski, Jon J SES OSD HA (US)(b) (6) [REDACTED];
Adirim, Terry A SES OSD HA (US)(b) (6) [REDACTED]; Penrod, Virginia S SES OSD OUSD P-R
(US)(b) (6) [REDACTED]; (b) (6) [REDACTED] CDR USN OSD OUSD P-R
(US)(b) (6) [REDACTED]
From: Kurta, Anthony M SES OSD OUSD P-R (US)
Sent: Wed 7/26/2017 1:26:00 AM
Subject: (b) (5) [REDACTED]
smime.p7s

(b) (5) [REDACTED]

Tony

Sent from my iPhone

> On Jul 25, 2017, at 4:26 PM, Kriete, David M. EOP/NSC (b) (6) [REDACTED] wrote:

>

>(b) (5) [REDACTED]

>(b) (5) [REDACTED]

> Dave

>

>

> Sent from my iPhone

>

>> On Jul 25, 2017, at 6:15 PM, (b) (6) [REDACTED] > wrote:

>>

>> Dave,

>>

>>(b) (5) [REDACTED]

From: Smith, David J SES OSD OUSD P-R (US)
To: Adirim, Terry A SES OSD HA (US); Chinn, Colin G RADM USN DHA RESEARCH-DEV (US); Rychalski, Jon J SES OSD HA (US)
Subject: (b) (5)
Date: Tuesday, July 25, 2017 8:39:20 PM

(b) (5)

Dave

Original message
From: (b) (6)
Date: 7/25/17 6:37 PM (GMT 05:00)
To: "Smith, David J SES OSD OUSD P-R (US)" (b) (6), "Rychalski, Jon J SES OSD HA (US)" (b) (6), "Penrod, Virginia S SES OSD OUSD P-R (US)" (b) (6)
Subject: (b) (5)

(b) (5)

Best,

(b) (6)

Sent from my iPhone

Begin forwarded message:

From: "Kriete, David M. EOP/NSC" (b) (6)
(b) (6)
Date: July 25, 2017 at 6:26:26 PM EDT
To: (b) (6)
Cc: "Sweeney, Kevin SES SD" (b) (6), "Koffsky, Paul S SES OSD OGC (US)" (b) (6), "Kurta, Anthony M SES OSD OUSD P-R (US)" (b) (6), "Donnelly, Sally SES SD" (b) (6)
Subject: (b) (5)

(b) (5)

Dave

Sent from my iPhone

On Jul 25, 2017, at 6:15 PM, (b) (6)

(b) (6) > wrote:

Dave,

(b) (5)



(b) (5)



(b) (5)



(b) (5)



(b) (5)



(b) (5)



(b) (5)

Best,

(b) (6)

Sent from my iPhone

On Jul 25, 2017, at 5:48 PM, Kriete, David M. EOP/NSC (b) (6)
(b) (6) wrote:

(b) (5)

Thanks, Dave

Dave Kriete

Director Strategic Capabilities Policy

National Security Council

NIPR: (b) (6)

SIPR: (b) (6) [REDACTED]

JWICS: (b) (6) [REDACTED]

Work: (b) (6) [REDACTED]

Cell: (b) (6) [REDACTED]

(b) (5)



>>(b) (5)

>>

>> Best,

>>(b) (6)

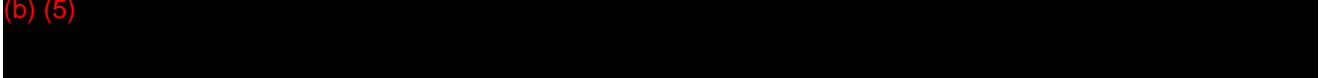
>>

>> Sent from my iPhone

>>

>>> On Jul 25, 2017, at 5:48 PM, Kriete, David M. EOP/NSC <(b) (6)> wrote:

(b) (5)



>>> Thanks, Dave

>>>

>>> Dave Kriete

>>> Director Strategic Capabilities Policy

>>> National Security Council

>>>

>>> NIPR: (b) (6)

>>> SIPR: (b) (6)

>>> JWICS: (b) (6)

>>> Work (b) (6)

>>> Cell: (b) (6)

>>>

>>>

To: (b) (6) 'Hay, Jennifer K.
EOP/NSC (b) (6)
Cc: Rychalski, Jon J SES OSD HA (US)(b) (6)
From: Kurta, Anthony M SES OSD OUSD P-R (US)
Sent: Wed 6/21/2017 7:29:21 PM
Subject: (b) (5) (UNCLASSIFIED)
[smime.p7s](#)

CLASSIFICATION: UNCLASSIFIED

(b) (5)

Tony

-----Original Message-----

From: (b) (6)
Sent: Wednesday, June 21, 2017 12:16 PM
To: 'Hay, Jennifer K. EOP/NSC' (b) (6)
Cc: Rychalski, Jon J SES OSD HA (US)(b) (6) >; Kurta, Anthony M SES OSD OUSD P-R (US)(b) (6) >
Subject: (b) (5)

Jennifer,

(b) (5)

(b) (5)

-----Original Message-----

From: Hay, Jennifer K. EOP/NSC [mailto:(b) (6)]
Sent: Wednesday, June 21, 2017 12:12 PM
To: (b) (6)
Cc: Rychalski, Jon J SES OSD HA (US)(b) (6)
Subject: (b) (5)

(b) (6)

(b) (5)

Thank you,
Jennifer

Jennifer K. Hay
Director, Defense Policy & Strategy
National Security Council
Phone: (b) (6)
TSVOIP: (b) (6)
Email: (b) (6)
SIPR: (b) (6)
JWICS: (b) (6)

-----Original Message-----

From: (b) (6)
Sent: Wednesday, June 21, 2017 9:51 AM
To: Hay, Jennifer K. EOP/NSC <(b) (6)>
Cc: Rychalski, Jon J SES OSD HA (US) <(b) (6)>
Subject: (b) (5)

Jennifer,

(b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

Best,

(b) (6)

CLASSIFICATION: UNCLASSIFIED

To: Hay, Jennifer K. EOP/NSC (b) (6); (b) (6)
Cc: Sweeney, Kevin M SES (US) (b) (6); (b) (6); Donnelly, Sally B SES (US) (b) (6); (b) (6)
From: Kurta, Anthony M SES OSD OUSD P-R (US)
Sent: Tue 6/20/2017 12:45:18 AM
Subject: (b) (5)

Jennifer
(b) (5)

Tony

Sent from my BlackBerry 10 smartphone.

Original Message

From: Hay, Jennifer K. EOP/NSC
Sent: Monday, June 19, 2017 8:24 PM
To: (b) (6)
Cc: Sweeney, Kevin M SES (US); Donnelly, Sally B SES (US); (b) (6); Kurta, Anthony M SES OSD OUSD P-R (US)
Subject: (b) (5)

(b) (6)

(b) (5)

Thank you,
Jennifer

Sent from my iPhone

> On Jun 19, 2017, at 7:36 PM, (b) (6) wrote:
>
> (b) (5)
>
> Sent from my iPhone
>
>> On Jun 19, 2017, at 7:10 PM, Hay, Jennifer K. EOP/NSC (b) (6) wrote:
>>
>> (b) (6)
>>
>> (b) (5)
>>
>> Thank you,
>> Jennifer
>>
>> Sent from my iPhone
>>
>>> On Jun 19, 2017, at 7:08 PM, (b) (6) wrote:
>>>
>>> Jennifer,
>>>
>>> (b) (5)
>>>
>>> Best,
>>> (b) (6)
>>>
>>> Sent from my iPhone
>>>
>>>> On Jun 19, 2017, at 6:20 PM, Hay, Jennifer K. EOP/NSC (b) (6) wrote:
>>>>

>>>> (b) (6)

>>>

>>>> (b) (5)

>>>>

>>>> Thank you,

>>>> Jennifer

>>>>

>>>> Sent from my iPhone

>>>>

>>>>> On Jun 19, 2017, at 5:51 PM, (b) (6) [REDACTED] wrote:

>>>>>

>>>>> Jennifer,

>>>>>

>>>>> (b) (5)

>>>>

>>>> Best,

>>>>(b) (6)

To: (b) (6)

Kurta, Anthony M SES OSD OUSD P-R

(US)(b) (6)

Donnelly, Sally B SES

Cc: (b) (6)

(b) (6)

From: Sweeney, Kevin SES SD

Sent: Mon 6/19/2017 9:33:24 PM

Subject: (b) (5)

(b) (5)

KMS

-----Original Message-----

From: (b) (6)

Sent: Monday, June 19, 2017 5:10 PM

To: Kurta, Anthony M SES OSD OUSD P-R (US)(b) (6)

>; Sweeney, Kevin SES SD (b) (6)

Cc: (b) (6)

Donnelly, Sally SES SD

(b) (6)

Subject: (b) (5)

(b) (5)

-----Original Message-----

From: Kurta, Anthony M SES OSD OUSD P-R (US)

[mailto:(b) (6)]

Sent: Monday, June 19, 2017 5:02 PM

To: Sweeney, Kevin SES SD (b) (6)

Donnelly, Sally SES SD (b) (6)

Subject: (b) (5)

CLASSIFICATION: UNCLASSIFIED

(b) (5)

VR/Tony

-----Original Message-----

From: Sweeney, Kevin SES SD (b) (6)

Sent: Monday, June 19, 2017 4:54 PM

To: (b) (6)

Cc: (b) (6)

Kurta, Anthony M SES OSD OUSD P-R (US)

(b) (6); Donnelly, Sally B SES (US)

(b) (6)

Subject: (b) (5)

(b) (5)

From: (b) (6)

Sent: Monday, June 19, 2017 4:11 PM

To: Sweeney, Kevin SES SD (b) (6)

Cc: (b) (6)

Kurta, Anthony M SES OSD OUSD P-R (US)

(b) (6); Donnelly, Sally SES SD

(b) (6); (b) (6)

Subject: (b) (5)

Kevin,

AMERICAN
OVERSIGHT

(b) (5)

DOD-17-0301 and 17-0464-B-000011

* (b) (5)



Best,
(b) (6)

From: Sweeney, Kevin SES SD
Sent: Monday, June 19, 2017 1:46 PM
To: (b) (6)
Cc: (b) (6)
Kurta, Anthony M SES OSD OUSD P-R (US)
(b) (6) Donnelly, Sally SES SD
(b) (6)
Subject: (b) (5)

ok

From: (b) (6)
Sent: Monday, June 19, 2017 1:35 PM
To: Sweeney, Kevin SES SD (b) (6)
Cc: (b) (6)
Kurta, Anthony M SES OSD OUSD P-R (US)
(b) (6) Donnelly, Sally SES SD
(b) (6)
Subject: (b) (5)

Kevin,

(b) (5)



Best,
(b) (6)

CLASSIFICATION: UNCLASSIFIED



DOD-17-0301 and 17-0464-B-000012

To: (b) (6)
Cc: (b) (6)
From: Kurta, Anthony M SES OSD OUSD P-R (US)
Sent: Mon 6/19/2017 4:12:49 PM
Subject: (b) (5)
[smime.p7s](#)

CLASSIFICATION: UNCLASSIFIED

rgr

-----Original Message-----

From: (b) (6)
Sent: Monday, June 19, 2017 12:11 PM
To: (b) (6)
Kurta, Anthony M SES OSD OUSD P-R (US)
(b) (6)
(b) (5)

(b) (5)

-----Original Message-----

From: (b) (6)
Sent: Monday, June 19, 2017 12:10 PM
To: (b) (6)
Cc: (b) (6) Kurta, Anthony M SES OSD OUSD P-R (US)
(b) (6)
(b) (5)

(b) (5)

> On Jun 19, 2017, at 17:59, (b) (6) wrote:

>

> FYI...

>

>

> -----Original Message-----

> From: Hay, Jennifer K. EOP/NSC (b) (6)
> Sent: Monday, June 19, 2017 11:58 AM
> To: (b) (6)
> (b) (5)
>
> (b) (6)
>
> (b) (5)

>
> Thank you,
> Jennifer
>
> Jennifer K. Hay
> Director, Defense Policy & Strategy
> National Security Council
> Phone: (b) (6) [REDACTED]
> TSVOIP: (b) (6) [REDACTED]
> Email: (b) (6) [REDACTED]
> SIPR: (b) (6) [REDACTED]
> JWICS (b) (6) [REDACTED]
>
>
>
>

CLASSIFICATION: UNCLASSIFIED